

1 Filed by:
2 Fred E. McKelvey
3 Senior Administrative Patent Judge
4 Board of Patent Appeals and Interferences
5 Mail Stop Interference
6 P.O. Box 1450
7 Alexandria, VA 22313-1450
8 Tel: 571-272-4683
9 Fax: 571-273-0042

Paper 80

10
11 UNITED STATES PATENT AND TRADEMARK OFFICE
12

13
14 BEFORE THE BOARD OF PATENT APPEALS
15 AND INTERFERENCES
16

17
18 STEVEN P. NOLAN and JINKUN HUANG,
19

20 Junior Party
21 (Application 09/392,869),
22

23 v
24

25 ROBERT H. GRUBBS and MATTHIAS SCHOLL,
26

27 Senior Party
28 (Application 09/576,370).
29

30
31 Patent Interference 105,373 (McK)
32 Technology Center 1600
33

34
35 Entered: 5 June 2007
36
37

38 ORDER REDECLARING INTERFERENCE

1	The claims of the parties designated as corresponding to Count 2 are:
2	Nolan:
3	9
4	11-13
5	23-24
6	27-30
7	39-40
8	45-46
9	51-52
10	55-56
11	59
12	61
13	71
14	73
15	77
16	89
17	91
18	107-109
19	Grubbs:
20	
21	1-39
22	41-64
23	

1	The claims of the parties which are designated as <i>not</i> corresponding to
2	Count 2 are:
3	Nolan:
4	14
5	17-21
6	25-26
7	31-38
8	43-44
9	47-50
10	53-54
11	57-58
12	60
13	62-65
14	72
15	78-88
16	90
17	92-106
18	110-111
19	
20	Grubbs:
21	40

1 cc (via Electronic Mail):
2
3 Attorney for Grubbs
4 (real party in interest California Institute of Technology;
5 licensee: Materia, Inc. and Lexicon Pharmaceuticals
6 (New Jersey), Inc.):
7
8 Michael L. Goldman, Esq.
9 NIXON PEABODY LLP
10 1300 Clinton Square
11 Rochester, NY 14604
12
13 Tel: 585-263-1304
14 Fax: 585-263-1600
15
16 Ronald I. Eisenstein, Esq.
17 NIXON PEABODY LLP
18 100 Summer St.
19 Boston, MA 02110
20
21 Tel: 617-345-6054
22 Fax: 617-345-1300
23 Email: mgoldman@nixonpeabody.com
24 Email: reisenstein@nixonpeabody.com
25
26 Attorney for Nolan
27 (real party in interest
28 University of New Orleans Foundation):
29
30 R. Andrew Patty II, Esq.
31 Mary H. Drabnis, Esq.
32 SIEBERTH & PATTY, L.L.C.
33 4703 Bluebonnet Blvd.
34 Baton Rouge, LA 70809
35
36 Tel: 225-291-4600
37 Tel: 225-291-4606
38 Email: rap@spiplaw.com
39 Email: mhd@spiplaw.com
40